

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

AARON ISRAEL, a/k/a AARON ISBY, Plaintiff, v. EDWARD COHN, <i>et al.</i> , Defendants.)	CAUSE NO. 3:98-CV-609 RM and also CAUSE NO. 3:99-CV-135 3:99-CV-610 3:00-CV-153 3:00-CV-709 3:01-CV-805
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MEMORANDUM AND ORDER

Aaron Israel, a *pro se* prisoner, filed a motion asking this court to vacate its order of October 13, 2004. That order relied on Newlin v. Helman, 123 F.3d 429 (7th Cir. 1997), which he now asks this court to overrule. Newlin is binding on this court and it is not within the authority of this court to overrule Seventh Circuit cases. Mr. Israel also seeks a change of judge, alleging that the undersigned judge should be disqualified because of his obvious prejudice. Applying a binding precedent is not evidence of bias or a lack of impartiality. *See Hook v. McDade*, 89 F.3d 350, 354 (7th Cir. 1996).

For the foregoing reasons, the court (1) **DENIES** the motion for a change of judge; and (2) **DENIES** the motion to vacate.

SO ORDERED.

ENTERED: May 13, 2005

/s/ Robert L. Miller, Jr.
Chief Judge
United States District Court